

PTO/SB/21 (09-04)

Approved for use through 07/31/2006, OMB 0851-0031
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/980,804	RECEIVED CENTRAL FAX CENTER JUN 06 2005
	Filing Date	December 3, 2001	
	First Named Inventor	Olivos	
	Art Unit	1653	
	Examiner Name	Hope A. Robinson	
Total Number of Pages In This Submission	4	Attorney Docket Number	WST918USA

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Customer No. 00270		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	HOWSON AND HOWSON		
Signature	<i>Mary E. Bak</i>		
Printed name	Mary E. Bak		
Date	<i>June 6, 2005</i>	Reg. No.	31,215

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	<i>Kelly A. Karstaedt</i>		
Typed or printed name	Kelly A. Karstaedt	Date	<i>June 6, 2005</i>

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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WST91BUSA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/980,804 Confirmation No.: 8353
Applicant : Otvos
Filed : December 3, 2001
TC/A.U. : 1653
Examiner : Hope A. Robinson
Customer No. : 00270
Title : NOVEL PYRRHOCORICIN-DERIVED PEPTIDES AND
METHODS OF USE THEREOF

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIXTH INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement (IDS) is being filed after issuance of the Notice of Allowance dated May 24, 2005. Pursuant to 37 CFR § 1.97(d), this IDS is filed after the period specified in 37 CFR § 1.97(c) and includes the statement in 1.97(e)(2). The required fee under 37 CFR § 1.17(p) of \$180.00 was paid to the USPTO on April 26, 2005. Therefore, no fees are believed due.

Pursuant to 37 CFR § 1.97(e)(2), "... no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the

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Signature Kelly A. Karstaedt
Name Kelly A. Karstaedt

information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement”.

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees to our Deposit Account Number 08-3040.

REMARKS

As the Examiner is aware, the document cited in this IDS was cited by the Examiner in the co-pending U.S. Patent Application No. 10/181,654 in the Office Action dated April 20, 2005. This document, US Patent No. 5,466,671 (Tempst) refers to antibiotic peptides having antibacterial activity, which peptides are characterized by a sequence that is not derived from pyrrolicorin. However, since Applicant inadvertently omitted the 37 CFR § 1.97(e) statement, this document was not considered prior to issuance of the Notice of Allowance. Since the time period specified by 37 CFR § 1.97(e) has not expired, Applicant is resubmitting this document for consideration. Applicant requests that the Notice of Allowance be reissued so that consideration of this document is acknowledged before the mail date of the Notice of Allowance.

The Examiner is respectfully requested to consider the document identified in this paper and in the attached Form PTO/SB/08A during the course of examination of this application.

Respectfully submitted,

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known	
		Application Number	09/980,804
		Filing Date	December 3, 2001
		First Named Inventor	Otvos
		Group Art Unit	1653
Examiner Name	Hope A. Robinson		
Sheet 1 of 1	Attorney Docket Number		WST91BUSA

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AE	5,466,671	11-14-1995	Tempst et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ² - Number ³ -Kind Code ⁴ (if known)				

Examiner Signature	Date Considered
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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